

**REMARKS**

The present amendment is submitted in response to the Office Action mailed July 31, 2008. Claims 1-14 remain in this application. Claims 1, 5-6, 7, 9-10 and 12-14 have been amended. In view of the amendments above and the remarks to follow, reconsideration and allowance of this application are respectfully requested.

***Claim Objections***

In the Office Action, Claim 9 was objected because it contains a typographical error. The Office states that Applicant claims "receiving a user instruction to read a specific piece of information", it appears this was meant to read "receiving a user instruction to write a specific piece of information. Claim 9 has been amended in a manner which is believed to overcome the rejections.

In the Office Action, Claims 12-14 were objected because of the following informalities: each of claims 12-14 refer to a 'relatively fast access storage medium' and a 'relatively slow storage medium'. The Office states that it is unclear what fast and slow are relative to in this context. Claims 12-14 have been amended in a manner which is believed to overcome the rejections.

In the Office Action, Claim 13 was objected because it refers to 'said relatively fast access storage medium'. The Office states that Claim 13 is an independent claim, and there is no antecedent basis for the storage medium in this case. Claim 13 has been amended in a manner which is believed to overcome the rejections.

In the Office Action, Claim 14 was objected because it refers to 'said storage device' and 'said relatively fast access storage medium'. The Office states that Claim 14 is an independent claim, and there is no antecedent basis for either recitation. Claim 14 has been amended in a manner which is believed to overcome the rejections.

*Claim Rejections under 35 USC 112*

In the Office Action, claims 5-10 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention. Claim 5-10 have been amended in a manner which is believed to overcome the rejections.

Prior to discussing the substantive rejections, it is instructive to first briefly review the meaning of session information, session states and track states, as taught throughout Applicant's specification.

Information is written to disc in several sessions. Each session may contain one or more tracks, each track containing one or more sequentially written blocks. Tracks can be open, closed, or invisible; this distinction is indicated as track state. *See* Specification, par. 14. Session information is the information relating to the session states of all sessions. Sessions can be open or closed. A closed session means that the length of the session is known and that all tracks in this session are closed. An open session means that the length of the session is unknown, and that the session comprises one or more "open" and/or "invisible" tracks.

*Claim Rejections under 35 USC 102***Claims 1-2, 7 and 12-14 are Allowable**

The Office has rejected claims 1-2, 7 and 12-14 at paragraph 2 of the Office Action, under 35 U.S.C. §102(b), as being anticipated by U.S. Patent No. 6,137,767 ("Ro"). Applicant respectfully traverses the rejections.

**A. Claims 1-2 and 7**

For a reference to anticipate a claim, the reference must disclose each and every element of the claim. The cited portions of Ro do not anticipate claim 1, because the cited portions of Ro fail to disclose every element of claim 1. For example, the cited portions of Ro fail to disclose an “Optical disc (2) suitable for optically storing information in multiple sessions (51), having a memory chip (60) containing session information stored therein, wherein the stored session information pertains to session states and track states, as in claim 1 (Emphasis Added). Instead, the cited portions of Ro disclose an “optical disk memory content display apparatus, system and display control method which are capable of more quickly retrieving **an index of data** regarding an optical disk using an input/output terminal of a memory chip (Memory In Disk: MID) integrated with the optical disk into/from which chip **an index of a data** is inputted/outputted” (Emphasis Added). *See* Ro, Col. 1, lines 7-15. The “index of data” referred to in Ro relates to a Table of Contents of the recorded data. *See* Ro, Col. 1, lines 43-49. Ro stores the **index of data** in a memory chip integrated with an optical disk. However, Applicant respectfully submits that storing an “**index of data**” in a memory chip, as taught in Ro, is different from storing **session information pertains to session states and track states**, as recited in claim 1. Therefore, the cited portions of Ro fail to disclose every element of claim 1. Hence, claim 1 is allowable.

Claims 2 and 7 depend from claim 1, which Applicants have shown to be allowable. Hence, Ro fails to disclose at least one element of claims 2 and 7. Accordingly, claims 2 and 7 are also allowable, at least by virtue of their dependence from claim 1.

For a reference to anticipate a claim, the reference must disclose each and every element of the claim. The cited portions of Ro do not anticipate claim 12, because the cited portions of Ro fail to disclose every element of claim 12. For example, the cited portions of Ro fail to disclose an “Optical disc (2) suitable for optically storing

information in multiple sessions (51), having a memory chip (60) containing session information stored therein, wherein the stored session information pertains to session states and track states, as in claim 1 (Emphasis Added). Instead, the cited portions of Ro disclose an “optical disk memory content display apparatus, system and display control method which are capable of more quickly retrieving **an index of data** regarding an optical disk using an input/output terminal of a memory chip (Memory In Disk: MID) integrated with the optical disk into/from which an **index of a data** is inputted/outputted” (Emphasis Added). See Ro, Col. 1, lines 7-15. The “index of data” referred to in Ro relates to a Table of Contents of the recorded data. See Ro, Col. 1, lines 43-49. Ro stores the **index of data** in a memory chip integrated with an optical disk. However, Applicant respectfully submits that storing an “**index of data**” in a memory chip, as taught in Ro, is different from storing **session information pertains to session states and track states**, as recited in claim 1. Therefore, the cited portions of Ro fail to disclose every element of claim 1. Hence, claim 1 is allowable.

#### **B. Claims 12-14**

Independent Claims 12-14 recite similar subject matter as Claim 1 and therefore contain the limitations of Claim 1. Hence, for at least the same reasons given for Claim 1, Claims 12-14 are believed to be allowable over Ro. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of Claims 12-14 is respectfully requested.

#### ***Claim Rejections under 35 USC 103***

##### **Claims 3-6 are Allowable**

The Office has rejected claims 3-6 at paragraph 4 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent No. 6,137,767 (“Ro”) in view of U.S. Patent No. 5,119,353 (“Asakura”). Applicant respectfully traverses the rejections.

As explained above, Ro does not disclose or suggest each and every element of claim 1, from which claims 3-6 depend. Specifically, the cited portions of Ro fail to disclose or suggest an “Optical disc (2) suitable for optically storing information in multiple sessions (51), having a memory chip (60) containing session information stored therein, wherein the stored session information pertains to session states and track states. Asukara does not disclose the elements of claim 1 that are not disclosed by Ro. Asakura is cited by the Office for teaching “using session information when accessing the optical disc. *See Asukara*, Col. 2, lines 33-65. There is no teaching or suggestion in Takahashi of an optical disc (2) suitable for optically storing information in multiple sessions (51), having a memory chip (60) containing session information stored therein, wherein the stored session information pertains to session states and track states. Therefore, the combination of Ro and Asukara do not disclose each and every element of claim 1, from which claims 3-6 depend. Hence, claims 3-6 are allowable.

**Claim 8 is Allowable**

The Office has rejected claim 8 at paragraph 8 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent No. 6,137,767 (“Ro”) in view of U.S. Patent No. 6,356,517 (“Liu”). Applicant respectfully traverses the rejections.

As explained above, Ro does not disclose or suggest each and every element of claim 1, from which claim 8 depends. Specifically, the cited portions of Ro fail to disclose or suggest an “Optical disc (2) suitable for optically storing information in multiple sessions (51), having a memory chip (60) containing session information stored therein, wherein the stored session information pertains to session states and track states. Liu does not disclose the elements of claim 1 that are not disclosed by Ro. Liu is cited by the Office for teaching “wherein the control circuit is adapted, in response to a write command, to read session information from said chip. *See Liu*, Col. 2, lines 56-59. There is no teaching or suggestion in Liu of an optical disc (2) suitable for optically

storing information in multiple sessions (51), having a memory chip (60) containing session information stored therein, wherein the stored session information pertains to session states and track states. Therefore, the combination of Ro and Liu do not disclose each and every element of claim 1, from which claim 8 depends. Hence, claim 8 is allowable.

**Claims 9-10 are Allowable**

The Office has rejected claims 9-10 at paragraph 10 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent No. 6,137,767 ("Ro") in view of U.S. Patent No. 5,119,353 ("Asakura") and further in view of U.S. Patent No. 6,356,517 ("Liu"). Applicant respectfully traverses the rejections.

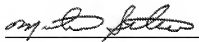
As explained above, Ro and Liu, do not disclose or suggest each and every element of claim 1, from which claims 9-10 depend. Specifically, the cited portions of Ro and Liu fail to disclose or suggest an "Optical disc (2) suitable for optically storing information in multiple sessions (51), having a memory chip (60) containing session information stored therein, wherein the stored session information pertains to session states and track states. Asukara does not disclose the elements of claim 1 that are not disclosed by Ro. Asakura is cited by the Office for teaching "consulting the session information in a memory chip. *See Asukara*, Col. 5, lines 26-45. There is no teaching or suggestion in Asukura of an optical disc (2) suitable for optically storing information in multiple sessions (51), having a memory chip (60) containing session information stored therein, wherein the stored session information pertains to session states and track states. Therefore, the combination of Ro, Asukara and Liu do not disclose each and every element of claim 1, from which claims 9-10 depend. Hence, claims 9-10 are allowable.

**Conclusion**

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-14 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Mike Belk, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-945-6000.

Respectfully submitted,



Michael A. Scaturro  
Reg. No. 51,356  
Attorney for Applicant

**Mailing Address:**  
**Intellectual Property Counsel**  
**Philips Electronics North America Corp.**  
**P.O. Box 3001**  
**345 Scarborough Road**  
**Briarcliff Manor, New York 10510-8001**